

/214 cont. /

426 however, so that in the case of a deceased poor debtor, the creditor has usually lost his money. Prescription does not occur.

685 A debt forgotten by the debtor may be collected by the creditor

695 years later, if there are witnesses. The situation is similar for

426 the theft of field crops: If there is no witness, no one can be found guilty. If, however, the witness is known as honorable and not deceitful, the accused is judged guilty, even without a con-

692 fession. There is no statement of confirmation corresponding to the oath; similarly, no one condemned for wrongdoing has the

623 right to go to Inzá to the judge. For all misdeeds punished by the

209 [782] cabildo, the capitan and gobernador are the first and last authority; they do not act arbitrarily, however, but rely largely on custom

[686] and the opinion of the village. This is especially true if someone refuses several times in succession to take part in public works, but it also comes out -- unfavorably -- if a poor man tries to

623 become wealthy on his own. For example, disputes not infrequently

692 break out among the Paez on account of damage to cultivated

685 fields when the domestic animals of one person have broken into

578 the fields of a neighbor. Now the fences around each field must always be in good condition and put up in accordance with the term of use of the field. A fence for a maize field, which requires barely a year to mature, may be more lightly built than a fence around a sugar-cane field, which requires three years to mature.

Then when strange animals break into fields with good fencing, the owner may kill them or at least wound them, for example, by

[231] cutting off a cow's tail. The owners of pigs fasten a triangular-shaped frame around the necks of their pigs to prevent them from breaking into fenced fields. If the fence is in poor condition, however, and has not been newly erected especially for the planted field, the owner of the animals breaking into the field is not to blame and the owner of the field may not kill them. Of course, the soundness of a fence is to a great extent a matter of opinion, and it happens not infrequently that the disputants go after each

696 other with machetes and wound each other considerably. The

685 417 /215/ guilty party is then, after an inspection of the fence, punished

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/215 cont. /

696 according to the decision of the cabildo. First of all, the animal
685 or the crop destroyed must be replaced, and then the offender is
417 put in the "tree trunk." This is a form of punishment that was
681 formerly used very frequently in other Paez communities, too.
[824] Actually it consists of two tree trunks, into each of which two
notches are chopped on opposing sides. The condemned person
is put in, with his feet up to the ankles in these rather narrow
notches, and then the tree trunks are tightly bound together with
[623] lianas. All the members of the cabildo take part in this work.
Then the bound tree trunks are fastened to the ceiling of the
council house, so that the condemned man hangs head downward
and the trunks cut into his flesh very considerably. There were
no other types of punishment. The degree was determined by the
number of hours of hanging, which extended from one to, allegedly,
24 hours.

556 Injustices on the part of envious fellow-citizens toward a
626 man striving for wealth manifest themselves by their driving their
animals into the man's well-fenced fields. This is done until the
person in question no longer feels any inclination to excel over others
[623] through diligence and property. Little is accomplished by com-
[692] plaining to the cabildo, since the gobernador cannot make a de-
[208] cision that runs counter to the opinion of the entire village, and
a weak spot in the fence can always be demonstrated somewhere.

692 Other and not infrequent occasions on which the cabildo must
623 act as judge are complaints concerning adultery and support (see
68 above). There are no complaints about verbal insults, just as there
is no punishment for this. They are countered by matching expres-
sions. Similarly, unintentional bodily injury, for example, by a
machete during joint work or a case of death during tree-cutting,
is not punishable. Only if a person shoots his neighbor's eye out
with an elastic sling during bird hunting would he be punished, "but
not very severely."